I declar	re under	penalty	of perjury	that the	foregoing	is true ar	nd correct.	Executed on
December	0 .	2004.						

I hereby certify that on this sixth day of December, 2004, I served a copy of the foregoing Opposition to Supplement to Petition to Deny on the following person by placing a copy in the United States Mail, first-class postage prepaid:

Warren C. Havens 2649 Benvenue Avenue, Suite 2 Berkeley, California 94704

Warren C. Havens 2649 Benvenue Avenue, Suite 3 Berkeley, California 94704

Dennis C. Brown

Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

In the Matter of)	
)	
MOBEX NETWORK SERVICES, INC.)	
)	File No. 0001768691
Application for Renewal of the License for)	Call Sign KAE889
AMTS Stations Along the Pacific Coast)	(the "Pacific Coast Econse")
		Call Sign KAE889 (the "Pacific Coast Ecces")
Marlene H. Dortch, Secretary		DEC
Federal Communications Commission		DEC - 6 2004
		Federal Communications Commission
Attention: Chief. Wireless Telecommunications	Bureau	Office of Security Commission

OPPOSITION TO SUPPLEMENT TO PETITION TO DENY

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The Commission's Rules do not authorize the filing of a supplement to a petition to deny. Fidelity Television, Inc., 11 FCC Rcd 6766 (1996), and the Commission has dismissed such unauthorized pleadings, *id.* Havens did not request leave to file his Supplement or to present any reason why it should be accepted. Accordingly, Havens's Supplement should be dismissed without consideration.

Havens attempted to introduce as parties persons which did not file timely petitions to deny Mobex's above captioned application. The Commission has no record of the timely filing of petitions to deny by TVL, ACL, or THL. Neither did Havens demonstrate in his Supplement that any of those persons has standing to be heard in the instant matter. Havens did not demonstrate that the public interest would be served in any way by hearing from any of those persons. Accordingly, none of those persons should be admitted to the above captioned proceeding. Because it cannot be ascertained which portions of Haven's filing were contributed by non-parties TVL, ACL, or THL so that those portions can be isolated and stricken, the Commission should dismiss the entire pleading as having been filed by unauthorized persons.

Havens's Supplement was based entirely on his incorporation by reference of unspecified documents which he suggests may be in the Commission's records. Havens failed to serve a copy of any of those purported documents on Mobex. Havens even admits that he believes that he has not seen some or all of the purported documents. If Havens has any such documents, he did not cite to any new fact contained therein to support his bald conclusions.

In the absence of any new material fact presented in Havens's Supplement, Mobex denies Havens's unsupported conclusions that Mobex engaged in lack of candor and deception in Commission licensing, and Mobex denies that it ever made any false statement to the Commission punishable under 18 U.S.C. §1001 or 47 U.S.C. §503. Mobex denies that its legal counsel ever violated 47 C.F.R. §§1.24(a)(2)-(4) in their representation of Mobex.

Havens abused the Commission's processes by his strike filing. Havens has filed a petition to deny Mobex's application for consent for transfer of control of Mobex, file number 0001885281. In his petition, Havens demanded that the Commission resolve all pending matters prior to acting on Mobex's transfer of control application. Havens presented no new material fact in his Supplement and explained no reason why he needed to file the vacuous pleading at this time. In view of the absence of any material fact in Havens's Supplement, and in view of the timing of its submission with respect to Havens's protest of Mobex's transfer of control application, the Commission should conclude that Havens's obvious purpose was not to supplement the record in the above captioned matter, but rather, to delay the Commission's grant of consent to transfer of control of Mobex. The Commission should not tolerate such a strike filing.

Conclusion

For all the foregoing reasons, the Commission should dismiss or deny Havens's Supplement and grant renewal of the license for station KAE889 and should take appropriate action against Havens's filing of a strike pleading.

Respectfully submitted, MOBEX NETWORK SERVICES, LLC

Dennis C. Brown

8124 Cooke Court, Suite 201 Manassas, Virginia 20109-7406 703/365-9436

Dated: December 6, 2004

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Before the

SPECTRUM ENFORCEMENT

FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554

In the Matter of)	8€CEJ A€O
Mobex Network Services, LLC)	Federal Communication
)	Office of Secretary File No. 0001600664
Application for Renewal for)	File No. 0001600664
AMTS Stations on the Erie Canal)	Call Sign KCE240
)	(the "Erie Canal License")

Marlene H. Dortch, Secretary Federal Communications Commission

Attention: Chief, Wireless Telecommunications Bureau

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703/365-9436

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FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

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Mobex Network Services, LLC)	Federal Comme - 6 2004
Application for Renewal for)	File No. 0001600664
AMTS Stations on the Erie Canal)	Call Sign KCE240 (the "Erie Canal License")

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Mobex Network Services, LLC)	
Application for Renewal for)	File No. 0001600664
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